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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,498	02/05/2004	Ihung S. Tu	ALPINE.043AUS	5662
7590 08/26/2005			EXAMINER	
MURAMATSU & ASSOCIATES			BEHNCKE, CHRISTINE M	
Suite 225			ART UNIT	
7700 Irvine Center Drive			PAPER NUMBER	
Irvine, CA 92618			3661	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/772,498

Applicant(s)

TU, IHUNG S.

Examiner

Christine M. Behncke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 12, 15, 16, 25, 27 and 30 is/are rejected.
7) ☒ Claim(s) 2-11, 13, 14, 17-24, 26, 28 and 29 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/16/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the application filed 5 February 2004, in which claims 1-30 were presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 12, 15, 16, 25, 27 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Sheha et al., US Patent Application Publication No. 2003/0036848.

3. **(Claim 1)** Sheha et al. discloses a display method for a navigation system for guiding a user to a destination, comprising the following steps of: determining a route to the destination ([0076] and figure 13); specifying a search area along the route to the destination by dividing the route from a user position to the destination into distance ranges and by defining a transversal distance from the route (figure 9, element 904); retrieving points of interest (POIs) within the search area (figure 9, element 902); displaying a list of distance ranges where each distance range shows a number of POIs retrieved within the distance range (figure 10); and displaying a list of POI names in a distance range selected by a user in an order determined by modified distance of the

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POIs calculated by a predetermined algorithm (figures 10 and 19 wherein the distance of the POIs is calculated with a “door-to-door” calculation demonstrated in figure 11).

4. **(Claim 12)** Sheha et al. further discloses wherein said step of displaying the distance range includes a step of selecting a distance range to display detailed information on the POIs in the selected distance range (figures 9, 12 and 13).

5. **(Claim 15)** Sheha et al. further discloses wherein said step of retrieving POIs includes a step of displaying a list of categories to select one of the categories of POIs to be retrieved within the search area (figure 9, 902 and 903 and figure 14).

6. **(Claim 16)** Sheha et al. discloses a display apparatus for a navigation system for guiding a user to a destination, comprising: means for determining a route to the destination ([0076] and figures 11 and 13); means for specifying a search area along the route to the destination by dividing the route from a user position to the destination into distance ranges and by defining a transversal distance from the route (figure 9, element 904); means for retrieving points of interest (POIs) within the search area (ODARSSE 107 database); means for displaying a list of distance ranges where each distance range shows a number of POIs retrieved within the distance range (figure 10); and means for displaying a list of POI names in a distance range selected by a user in an order determined by modified distance of the POIs calculated by a predetermined algorithm (figures 10 and 19 wherein the distance of the POIs is calculated with a “door-to-door” calculation demonstrated in figure 11).

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7. **(Claim 25)** Sheha et al. further discloses wherein said means for specifying the search area includes means for selecting an initial search range out of a plurality of distance ranges (figure 9, element 904).
8. **(Claim 27)** Sheha et al. further discloses wherein said means for displaying the distance range includes means for selecting a distance range to display detailed information on the POIs in the selected distance range (figures 9, 12 and 13).
9. **(Claim 30)** Sheha et al. further discloses wherein said means for retrieving POIs includes means for displaying a list of categories to select one of the categories of POIs to be retrieved within the search area (figure 9, 902 and 903 and figure 14).

Allowable Subject Matter

10. **Claims 2-11, 13, 14, 17-24, 26, 28 and 29** are objected to as being dependent upon a rejected base claim and are at present considered to overcome the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine M. Behncke whose telephone number is (571) 272-8103. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

08-22-2005



THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600